

GP 3739

PTO/SB/21 (08-00)

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<b>TRANSMITTAL FORM</b> FEB 16 2001 (to be used for all correspondence after initial filing)	Application Number	09/095,323
	Filing Date	June 10, 1998
	First Named Inventor	Michael D. LAUFER
	Group Art Unit	3739
	Examiner Name	D. Shay
Total Number Of Pages In This Submission	14 (plus 15 references)	Attorney Docket No. 435712000900

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declarations <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement - 3 pages <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449 - 1 page (w/copy); Copy of International Search Report - 8 pages; Return Receipt Postcard
Remarks		RECEIVED FEB 22 2001 TO 3700 MAIL ROOM

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual Name	Morrison & Foerster, LLP, 755 Page Mill Road, CA 94304-1018 Richard R. Batt, Reg. No. 43,485
Signature	<i>Richard R. Batt</i>
Date	February 13, 2001

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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PATENT  
Docket No. 435712000900  
Client Ref. 009

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Kerry Keehan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael D. LAUFER

Serial No.: 09/095,323

Filing Date: June 10, 1998

For: METHOD AND APPARATUS FOR  
TREATING SMOOTH MUSCLES IN  
THE WALLS OF BODY CONDUITS

Examiner: D. Shay

Group Art Unit: 3739

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

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*IDS using Certification based on a Search Report*

The documents listed 1-6 and 8-13 on the attached Form PTO-1449 were cited in a Search Report mailed on November 27, 2000 (copy attached), directed to a counterpart international or foreign application.

This Information Disclosure Statement is submitted:

- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☒ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

*Certificate of Prompt Filing under 37 C.F.R. § 1.97(e)(1)*

I hereby certify that each item of information was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.


The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation

that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 435712000900. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 13, 2001

Respectfully submitted,

By:   
Richard R. Batt  
Registration No. 43,485

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